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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/808,885

03/24/2004

David R. Yee

ORCL-2003-156-01

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7590

11/12/2008

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EXAMINER

LEWIS, ALICIA M

ART UNIT

PAPER NUMBER

2164

MAIL DATE

DELIVERY MODE

11/12/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/808,885	<b>Applicant(s)</b> YEE ET AL.	
	<b>Examiner</b> Alicia M. Lewis	<b>Art Unit</b> 2164	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 August 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 and 9-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This office action is responsive to the Request for Continued Examination (RCE) filed August 27, 2008. Claims 1, 9 and 17 are currently amended; claim 8 is canceled; and claim 25 has been added. Thus, claims 1-7 and 9-25 are pending in this application.

#### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-7 and 25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-7 and 25 are directed to a method of analyzing content of a web page. However, the method of claims 1-7 and 25 are not tied to a particular machine to be used to perform the recited steps of the claimed method. As such, claims 1-7 and 25 are rejected as being directed to non-statutory subject matter (see *In re Bilski*).

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 7, 9-14, 16-22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al. (US Patent Application Publication 2002/0103914 A1, *published 8/1/2002*) ('Dutta') in view of Malcolm (US 2008/0172717 A1, *priority date 9/17/2003*).

With respect to claims 1, 9 and 17, Dutta teaches:

accessing said web page comprising said content (paragraphs 33, 35 and 134; step 610 in Fig. 6);

processing the web page using a filter (paragraphs 19, 33-34 and 137);

transferring the content of the web page to an analyzer (paragraph 135);

analyzing the content of the web page at said analyzer (paragraphs 126-128 and 135);

returning a result of said analyzing to a server (paragraphs 127 and 135);

appending the result of said analyzing to the content of said web page (paragraph 137); and

displaying said web page and said result (paragraphs 135 and 137).

Dutta does not teach wherein said content is secure content, processing the web page prior to encryption of said secure content and analyzing the content of the web page prior to encryption of said secure content.

Malcolm teaches an information management system (see abstract), in which he teaches:

accessing a web page comprising secure content (paragraphs 20, 83, 89 and 91);

processing the web page prior to encryption of said secure content (paragraphs 60, 91 and 102); and

analyzing the content of the web page prior to encryption of said secure content (paragraphs 60, 91 and 102).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dutta by the teaching of Malcolm because a web page comprising secure content, processing the web page prior to encryption of said secure content and analyzing the content of the web page prior to encryption of said secure content would enable filtering of undesirable websites (Malcolm, paragraph 26), and the use of browser plug-in modules to examine transmission content before content has been encrypted (paragraph 60), thus providing secure transmission of data by enterprise staff (Malcolm, paragraph 29).

With respect to claims 2, 10 and 18, Dutta as modified teaches wherein said accessing said web page comprising content is performed by an application server operating on a first computing system (Dutta, paragraphs 19 and 35-36).

With respect to claim 3, Dutta as modified teaches wherein said filter is a function of the application server (Dutta, paragraphs 19 and 35), wherein said filter is selectively activated by a webpage development tool accessible to said first computing system (Dutta, paragraphs 133-135).

With respect to claims 4, 12 and 20, Dutta as modified teaches wherein said server and said filter operate in said first computing system (Dutta, paragraph 134).

With respect to claims 5, 14 and 22, Dutta as modified teaches wherein said analyzer operates on a second computing system that is communicatively coupled with said first computing system (Dutta, Figures 1A and 1B, paragraphs 19, 34 and 37).

With respect to claims 7, 16 and 24, Dutta as modified teaches wherein said filter transfers content of the web page to the analyzer in a hypertext mark-up language (HTML) format (Dutta, paragraph 33).

With respect to claims 11 and 19, Dutta as modified teaches wherein said filter is a function of the application server (Dutta, paragraphs 19 and 35).

With respect to claims 13 and 21, Dutta as modified teaches wherein said request for said web page is generated by a browser operating on said first computing system (Dutta, paragraph 35).

4. Claims 6, 15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al. (US Patent Application Publication 2002/0103914 A1) ('Dutta') in view of Malcolm (US 2008/0172717 A1, *priority date 9/17/2003*), as applied to claims 1-5, 7, 9-14, 16-22 and 24 above, and further in view of Markel et al. (US Patent Application Publication 2002/0156799 A1) ('Markel').

With respect to claims 6, 15 and 23, Dutta in view of Malcolm teaches claims 1, 9 and 17.

Dutta in view of Malcolm does not teach wherein said analyzer analyzes said content of said web page for compliance with federal law.

Markel teaches a system and method for verifying and correcting websites (see abstract), in which he teaches wherein said analyzer analyzes said content of said web page for compliance with federal law (paragraph 74).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Dutta by the teaching of Markel because wherein said analyzer analyzes said content of said web page for compliance with federal law would enable website providers to diagnose, evaluate, report, and retrofit code violations existing in websites to meet both in-house and industry design standards (Markel, paragraph 52).

5. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta et al. (US Patent Application Publication 2002/0103914 A1) ('Dutta') in view of Malcolm

(US 2008/0172717 A1, *priority date 9/17/2003*), as applied to claims 1-5, 7, 9-14, 16-22 and 24 above, and further in view of Berstis et al. (US 6,510,458 B1, *filing date 7/15/1999*) ('Berstis').

With respect to claim 25, Dutta in view of Malcolm teaches processing a web page using a filter.

Dutta in view of Malcolm does not teach performing sequential filtering of said web page using a plurality of filters of said filter.

Berstis teaches blocking saves to web browser cache based on content rating (see abstract), in which he teaches performing sequential filtering of said web page (steps 1206 and 1208 in Figure 12, column 20 lines 38-39) using a plurality of filters of said filter (column 18 lines 3-10 and 37-47).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have further modified Dutta by the teaching of Berstis because performing sequential filtering of said web page using a plurality of filters of said filter would enable a browser with the capability of blocking web page information from the browser cache based on predefined user preferences (Berstis, abstract).

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-7 and 9-25 have been considered but are moot in view of the new ground(s) of rejection.



***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. M. L./  
Examiner, Art Unit 2164  
November 7, 2008

/Charles Rones/  
Supervisory Patent Examiner, Art Unit 2164